

1979

c 30 The Prearranged Funeral Services Amendment Act, 1979

Ontario

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CHAPTER 30

An Act to amend The Prearranged Funeral Services Act

Assented to May 18th, 1979

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Sections 1 and 2 of *The Prearranged Funeral Services Act*,<sup>ss. 1, 2,
re-enacted</sup> being chapter 358 of the Revised Statutes of Ontario, 1970, are repealed and the following substituted therefor:

1. In this Act, "funeral services" means the services usually provided by a funeral director licensed under *The Funeral Services Act, 1976* and the provision of funeral supplies and services to the public other than a cemetery plot.<sup>Interpre-
tation
1976, c. 83</sup>

2. Unless he is an insurer licensed under *The Insurance Act*, or a person licensed as a funeral director under *The Funeral Services Act, 1976* and engaged in directing the operation of a funeral services establishment, no person shall agree or offer to agree, for a consideration that is fixed by the agreement, to furnish or make provision for funeral services upon the death of a person who is alive at the time the agreement or offer is made.<sup>Agreements
for
prearranged
funeral
services
R.S.O. 1970,
c. 224</sup>

2. Section 4 of the said Act is repealed and the following substituted therefor:<sup>s. 4,
re-enacted</sup>

4.—(1) Every person who receives money under an agreement referred to in section 2 shall receive and hold such money together with any interest accrued thereon in trust until the agreement has been fully performed by him or the agreement has been cancelled.<sup>Money in
trust</sup>

(2) Where an agreement referred to in subsection 1 is cancelled, the person holding money in trust under that agreement shall forthwith pay such money to the person entitled thereto.^{Idem}

s. 5 (2),
re-enacted

3. Subsection 2 of section 5 of the said Act is repealed and the following substituted therefor:

Inspection
and misuse
of trust
money

(2) The Board of Funeral Services established under *The Funeral Services Act, 1976* shall cause the trust accounts to be inspected as required by the regulations, and any misuse of trust funds shall be deemed to be sufficient grounds for cancellation of a licence under *The Funeral Services Act, 1976*.

1976, c. 83

Commence-
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. The short title of this Act is *The Prearranged Funeral Services Amendment Act, 1979*.